



PLANNING COMMISSION SYNOPSIS

Wednesday, November 8, 2006

6:30 p.m. General Plan / Regular Meeting
Council Chambers
City Hall Wing

200 East Santa Clara Street
San Jose, California

Xavier Campos, Chair
James Zito, Vice-Chair

Dang T. Pham Bob Dhillon
Christopher Platten
Ash Kalra Matt Kamkar

Joseph Horwedel, Acting Director
Planning, Building and Code Enforcement

NOTE

To arrange an accommodation under the Americans with Disabilities Act to participate in this public meeting, we ask that you call (408) 535-7800 (VOICE) or (408) 998-5299 (TTY) at least two business days before the meeting. If you requested such an accommodation please identify yourself to the technician seated at the staff table. If you did not call in advance and do now need assistance, please see the technician.

NOTICE TO THE PUBLIC

Good evening, my name is **Xavier Campos** and I am the Chair of the Planning Commission. On behalf of the entire Planning Commission, I would like to welcome you to the Planning Commission Public Hearing of **Wednesday, November 8, 2006**. Please remember to turn off your cell phones and pagers. Parking ticket validation machines for the garage under City Hall are located at the rear of the Chambers.

If you want to address the Commission, **fill out a speaker card (located on the table by the door, on the parking validation table at the back, and at the bottom of the stairs near the AV technician. Deposit the completed card in the basket near the Planning Technician. Please include the agenda item number (not the file number) for reference. Example: 4a, not PD06-023.**

The procedure for this hearing is as follows:

- After the staff report, applicants and appellants may make a 5-minute presentation.
- The chair will call out names on the submitted speaker cards in the order received.
- As your name is called, line up in front of the microphone at the front of the Chamber. Each speaker will have two minutes.
- After the public testimony, the applicant and appellant may make closing remarks for an additional five minutes.
- Planning Commissioners may ask questions of the speakers. These questions will not reduce the speaker's time allowance.
- The public hearing will then be closed and the Planning Commission will take action on the item. The Planning Commission may request staff to respond to the public testimony, ask staff questions, and discuss the item.

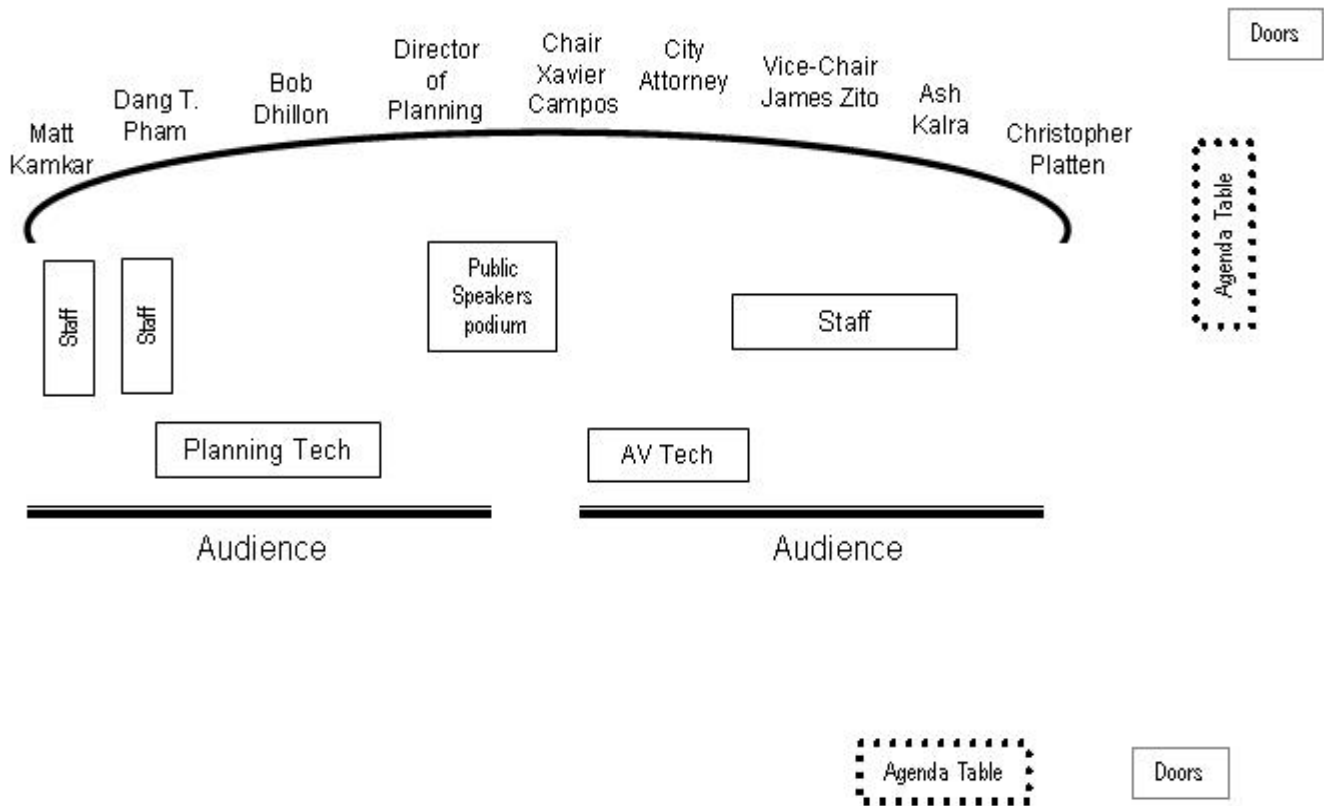
If you challenge these land use decisions in court, you may be limited to raising only those issues you or someone else raised at this public hearing or in written correspondence delivered to the City at, or prior to, the public hearing.

The Planning Commission's action on rezoning, prezonings, General Plan Amendments and Code Amendments is advisory only to the City Council. The City Council will hold public hearings on these items. Section 20.120.400 of the Municipal Code provides the procedures for legal protests to the City Council on rezonings and prezonings. The Planning Commission's action on Conditional Use Permit's is appealable to the City Council in accordance with Section

20.100.220 of the Municipal Code. Agendas and a binder of all staff reports have been placed on the table near the door for your convenience.

Note: If you have any agenda questions, please contact Olga Guzman at olga.guzman@sanjoseca.gov

The Planning Commission is a seven member body, appointed by the City Council, which makes recommendations to the City Council regarding the adoption, amendment, or repeal of general or specific plans, and regulation of the future physical land use development, redevelopment, rehabilitation or renewal of the City, including its Capital Improvement Programs. The recommendations to the Council regarding land use development regulations include, but are not limited to, zoning and subdivision recommendations. The Commission may make the ultimate decision on Conditional Use Permits, and acts as an appellate body for those persons dissatisfied with the Planning Director's decisions on land use and development matters. The Commission certifies the adequacy of Environmental Impact Reports.



The San Jose Planning Commission generally meets every 2nd and 4th Wednesday at 6:30 p.m., unless otherwise noted. The remaining meeting schedule is attached to this agenda and the annual schedule is posted on the web at <http://www.sanjoseca.gov/planning/hearings/index.htm> Staff reports, etc. are also available on-line. If you have any questions, please direct them to the Planning staff at (408) 535-7800. Thank you for taking the time to attend today's meeting. We look forward to seeing you at future meetings.

AGENDA
ORDER OF BUSINESS

1. ROLL CALL

All Planning Commissioners present

2. DEFERRALS

Any item scheduled for hearing this evening for which deferral is being requested will be taken out of order to be heard first on the matter of deferral. A list of staff-recommended deferrals is available on the Press Table.

Staff will provide an update on the items for which deferral is being requested. If you want to change any of the deferral dates recommended, or speak to the question of deferring these or any other items, you should say so at this time.

NO ITEMS LISTED ON THE DEFERRAL AGENDA

3. CONSENT CALENDAR

NOTICE TO THE PUBLIC

The consent calendar items are considered to be routine and will be adopted by one motion. There will be no separate discussion of these items unless a request is made by a member of the Planning Commission, staff, or the public to have an item removed from the consent calendar and considered separately.

Staff will provide an update on the consent calendar. If you wish to speak on one of these items individually, please come to the podium at this time.

The following items are considered individually.

- a. C06-074: Consideration of an ordinance for a PLANNING DIRECTOR INITIATED Rezoning for the real property located on the Southeast (South) corner of Capitol Av & Hostetter Rd (1587 N CAPITOL AV), (Bianchi Clara Trustee and Valley Transportation Authority, Owners). Planning Director Initiated Rezoning from unincorporated county to RM Multiple Residence District on an approximately 15.3 gross acre area consisting of 2 parcels. CEQA: San Jose 2020 General Plan EIR Resolution No. 65459. Council District 4. SNI: None.

**THE PLANNING COMMISSION RECOMMENDED THE PROJECT BE DEFERRED FOR APPROXIMATELY 60 DAYS TO JANUARY 17, 2007.
(6-0-0-1 DHILLON ABSTAIN)**

THE ITEM WAS PULLED FROM THE CONSENT CALENDAR AT THE REQUEST OF THE PROPERTY OWNER'S REPRESENTATIVE, MR. BRYCE CARROLL OF CARROLL ENGINEERING. MR. CARROLL STATED THE FOLLOWING:

- *THAT HE OBJECTS THE PREZONING OF THE SUBJECT PROPERTY.*
- *THE CURRENT GENERAL PLAN IS TCR 20+ AND ZONING THE PROPERTY AS R-M WITH A CAP DENSITY OF 25 DU/AC IS ESSENTIALLY A “DOWN ZONING” OF THE PROPERTY.*
- *THE PROPERTY OWNER IS INTERESTED IN DEVELOPING THE PROPERTY IN THE NEAR FUTURE WITH A HIGHER DENSITY PROJECT THAN THE R-M ZONING WOULD ALLOW.*
- *THE PROPERTY OWNER DOES NOT FEEL THEY WERE PROPERLY CONSULTED WITH PRIOR TO THE CITY MOVING FORWARD WITH THE PREZONING.*

COMMISSIONER KAMKAR ASKED WHEN MR. CARROL THOUGHT THE PROPERTY OWNER WOULD COME TO THE CITY WITH AN APPLICATION?

MR. CARROLL STATED THAT THEY WOULD BE READY WITHIN ONE YEAR.

STAN KETCHUM STATED THAT STAFF AGREES THAT THE CURRENT GENERAL PLAN LAND USE DESIGNATION WOULD SUPPORT A PROJECT OF HIGHER DENSITY THAN THE PROPOSED CONVENTIONAL R-M WOULD ALLOW AND WOULD ENCOURAGE A HIGH QUALITY PROJECT THAT EXCEEDED 25 DU/AC; HOWEVER, THE CITY CURRENTLY DOES NOT HAVE A CONVENTIONAL ZONING DISTRICT TO ALLOW A HIGHER DENSITY PROJECT WITHOUT IT BEING A PD ZONING. STAFF RECOMMENDS MOVING THE RECOMMENDED PREZONING OF R-M TO THE COUNCIL AND STAFF WILL CONTINUE TO WORK WITH THE PROPERTY OWNER ON FUTURE DEVELOPMENT OPPORTUNITIES FOR THE SUBJECT SITE.

COMMISSIONER KAMKAR AS STAFF WHETHER THERE WAS SOME URGENT NEED TO MOVE FORWARD WITH THE PREZONING NOW?

STAN KETCHUM RESPONDED BY STATING THAT STAFF IS MOVING FORWARD WITH THE PREZONING BASED ON THE CITY COUNCIL’S DIRECTION RELATED TO THE “ISLAND ANNEXATION” INITIATIVE AND THAT STAFF RECOMMENDS MOVING THE ITEM TO THE CITY COUNCIL AND THERE IS STILL TIME TO MEET/CONSULT WITH THE PROPERTY OWNER PRIOR TO THE COUNCIL HEARING.

- b. CP06-050: Conditional Use Permit to continue to allow an existing eating and drinking establishment, outdoor patio, and late night use until 2:00 a.m. in the DC Downtown Primary Commercial Zoning District, located on the north side of E. San Fernando Street approximately 65 feet east of S. First Street (33 E. San Fernando Street)(Gordon Biersch Brewery, Applicant/Owner). Council District 3. SNI: None. CEQA: Exempt.

APPROVED (7-0-0)

4. PUBLIC HEARINGS

5. CONTINUE PLANNING COMMISSION FALL 2006 HEARING ON GENERAL PLAN AMENDMENTS

6. GENERAL PLAN CONSENT CALENDAR

NO ITEMS LISTED ON THE CONSENT CALENDAR

7. GENERAL PLAN PUBLIC HEARING CALENDAR

- a. Public Hearing on the following items related to the Evergreen•East Hills Vision Strategy project. The EEHVS area coincides with the Evergreen Development Policy area, which is generally bounded by Story Road, Highway 101, Hellyer Avenue and within the Urban Service Area.
 1. PUBLIC HEARING ON THE CERTIFICATION OF A FINAL ENVIRONMENTAL IMPACT REPORT (EIR) for the EVERGREEN•EAST HILLS VISION STRATEGY PROJECT for an update to the Evergreen Development Policy, a Funding Agreement, General Plan Text and Land Use/Transportation Diagram Amendments, Planned Development Rezonings on approximately 542 acres; and to allow between 3,600 and 5,700 dwelling units, up to 500,000 square feet of retail, 75,000 square feet of office, up to 4.66 million square feet of campus industrial, and various transportation improvements and community amenities within the EEHVS area. SNI: K.O.N.A, West Evergreen and East Valley/680 Communities. CEQA: Resolution to be adopted. Council Districts: 5, 7 and 8.

THE PLANNING COMMISSION VOTED 6-0-1 (ZITO ABSTAINED) TO CERTIFY THE ENVIRONMENTAL IMPACT REPORT.

COMMISSIONER ZITO RECUSED HIMSELF FROM THIS ITEM.

STAFF PROVIDED A CONTEXTUAL OVERVIEW PRESENTATION OF THE EVERGREEN-EAST HILLS VISION STRATEGY, INCLUDING THE PROPOSED UPDATE TO THE EVERGREEN DEVELOPMENT POLICY AND THE ENVIRONMENTAL IMPACT REPORT (EIR). COMMISSIONER PLATTEN SUGGESTED THAT PUBLIC TESTIMONY BE PROVIDED ON THE EIR, ALLOWING COMMISSIONER ZITO TO RECUSE HIMSELF DURING THE EIR DISCUSSION, THEN THE PLANNING COMMISSION WOULD DELIBERATE ON THE REST OF THE ITEMS.

COMMISSIONER KALRA ASKED STAFF TO RESPOND TO LETTERS SUBMITTED BY THE MOUNT PLEASANT ELEMENTARY SCHOOL DISTRICT AND EVERGREEN ELEMENTARY SCHOOL DISTRICT. WITH RESPECT TO THE COMMENTS IN THE LETTERS REGARDING THE ACCURACY OF STUDENT GENERATION RATES AND IMPACTS ON EXISTING FACILITIES DESCRIBED IN THE EIR, STAFF NOTED THAT THE EIR USED STUDENT GENERATION RATE INFORMATION PROVIDED BY EACH OF THE SCHOOL DISTRICTS. IN USING THE STUDENT GENERATION RATES DESCRIBED IN THE LETTERS, STAFF INDICATED THAT THERE WOULD NOT BE A SUBSTANTIVE DIFFERENCE IN THE CONCLUSION OF THE DRAFT EIR THAT NEW SCHOOL FACILITIES IN BOTH THE EVERGREEN AND MOUNT PLEASANT SCHOOL DISTRICTS WILL BE REQUIRED TO ACCOMMODATE STUDENTS GENERATED BY THE EEHVS. BASED ON STATE LAW, WHICH LIMITS MITIGATION TO SCHOOL IMPACT FEES, STAFF DISAGREED WITH THE

DISTRICTS ON THE DEGREE TO WHICH THE CITY CAN IMPOSE MITIGATION.

KELLY ERARDI, OF SHAPELL INDUSTRIES, REPRESENTING THE EVERGREEN VILLAGE CENTER EXPRESSED HIS OPPOSITION TO A SUPERMARKET ON THE EVERGREEN VALLEY COLLEGE SITE STATING THAT A NEW SUPERMARKET WOULD HAVE A SEVERE IMPACT ON THE EXISTING LUNARDI'S (EVERGREEN VILLAGE CENTER) AND COSENTINO'S (CANYON CREEK CENTER). MR. ERARDI DISTRIBUTED A PACKET OF INFORMATION TO THE PLANNING COMMISSION AND STAFF.

DAVID TAY, AN EVERGREEN RESIDENT, EXPRESSED CONCERNS REGARDING THE ADEQUACY OF THE EIR IN ADDRESSING IMPACTS AND MITIGATION RELATED TO SCHOOLS. HE ADDED THAT MITIGATION WAS NOT LIMITED TO DEVELOPERS.

MIKE IVEY, AN EVERGREEN RESIDENT, NOTED THAT HIGH SCHOOLS IN EVERGREEN ARE ALREADY OVERCROWDED AND THAT THE CONCLUSION IS THERE NEEDS TO BE A NEW HIGH SCHOOL.

ALAN COVINGTON, AN EVERGREEN RESIDENT, STATED THAT, BASED ON CALTRANS COMMENTS, THE ANALYSIS REGARDING WAITING TIMES IN THE EIR IS INCONSISTENT AND INCOMPLETE. MR. COVINGTON ADDED THAT THE EAST EDGE OF THE CAMPUS INDUSTRIAL SITE IS ONLY 1,500-FEET FROM THE HAYWARD FAULT.

GEORGE PEREZ, REPRESENTING THE MOUNT PLEASANT ELEMENTARY SCHOOL DISTRICT, STATED THAT THE DEVELOPERS ARE MORE SYMPATHETIC TO SCHOOL NEEDS THAN THE CITY.

CHARLES PERROTTA, AN EVERGREEN RESIDENT, DETAILED HIS OPPOSITION TO THE EIR BECAUSE THE EIR DIDN'T ADEQUATELY ADDRESS: LOSS OF CAMPUS INDUSTRIAL; COMPLETE ANALYSIS OF 101; REDUCE MURILLO FROM 4 TO 2 LANES; VIEWS ON CAMPUS INDUSTRIAL; GLOBAL WARMING; IMPACTS ON ANIMALS; LOSS OF AGRICULTURAL ACREAGE; AND QUIMBY AND HAYWARD FAULTS.

LOU KVITEK, AN EVERGREEN RESIDENT, WANTED TO MAKE SURE THAT STAFF WAS AWARE OF A LETTER FROM THE EAST SIDE UNION HIGH SCHOOL DISTRICT STATING THEIR POSITION REGARDING RESERVING LAND FOR A NEW HIGH SCHOOL.

HOMING YIP, AN EVERGREEN RESIDENT, STATED THAT THE CONCLUSIONS IN THE EIR ARE DIFFERENT FROM THE ACTUAL SITUATION AND REFERENCED COMMENT LETTERS ON THE DRAFT EIR FROM CALTRANS AND COUNTY ROADS & AIRPORTS. MR. YIP FURTHER STATED THAT THE PROJECT IS DELIBERATELY MISLEADING.

ROGELIO RUIZ, REPRESENTING THE EAST SIDE UNION HIGH SCHOOL DISTRICT, NOTED THAT THE LETTER MR. KVITEK REFERRED TO IS IN PLANNING COMMISSION PACKET ATTACHMENT 6. MR. RUIZ STATED THAT THE DISTRICT IS IN DISCUSSION WITH THE EVERGREEN PROPERTY OWNERS GROUP WITH RESPECT TO THE PROPOSED DEVELOPMENT'S IMPACT ON HIGH SCHOOLS. HE ADDED THAT ONE YEAR AGO THE DISTRICT COMPLETED A DEMOGRAPHIC STUDY ON ENROLLMENT THAT CONCLUDED THE DEVELOPMENT AS PROPOSED WOULD NOT REQUIRE A NEW HIGH SCHOOL, BUT NEVERTHELESS THERE WOULD BE IMPACTS ON EXISTING FACILITIES. MR. RUIZ NOTED THAT THE DEVELOPERS GROUP AND THE DISTRICT ARE CLOSE TO REACHING A MUTUAL RESOLUTION IN TERMS OF DEVELOPER FEES. COMMISSIONER PLATTEN ASKED MR. RUIZ IF HE WAS SAYING THE EIR DOES NOT ADEQUATELY ADDRESS SCHOOLS. MR. RUIZ REPLIED THAT HE WAS NOT.

KETAN DESHPANDE, AN EVERGREEN RESIDENT, STATED THAT GIVEN THE CURRENT POPULATION OF THE AREA AND THAT EXISTING SCHOOLS ARE OVER CAPACITY, THERE IS A NEED FOR A NEW HIGH SCHOOL. HE EXPRESSED CONCERN OVER HAVING TO DRIVE KIDS LONGER DISTANCES TO SCHOOLS THAT HAVE CAPACITY, WHICH WOULD AFFECT QUALITY OF LIFE.

PATRICK HENDRY, AN EVERGREEN RESIDENT, ON A FOLLOW-UP TO THE HIGH SCHOOL DISTRICT'S COMMENTS, THE COMMUNITY DOES NOT SHARE THE DISTRICT'S POSITION. MR. HENDRY NOTED THAT FRANK BIEHL IS A NEW BOARD MEMBER AND THINKS THAT A NEW HIGH SCHOOL IS NEEDED, AND THAT THE TASK FORCE VOTED TO RESERVE LAND FOR A NEW HIGH SCHOOL. HE ADDED THAT THE EAST SIDE UNION HIGH SCHOOL DISTRICT'S PLAN IS NOT CREDIBLE.

KUMAR PADMINI, AN EVERGREEN RESIDENT, STATED THAT HE HAS NOT SEEN THE NECESSARY SCHOOL IMPROVEMENTS AND THAT THE HIGH SCHOOL DISTRICT DOESN'T HAVE A GOOD PLAN FOR SCHOOLS.

THE PLANNING COMMISSION THEN CLOSED THE PUBLIC HEARING. STAFF PROVIDED RESPONSES TO COMMENTS.

AKONI DANIELSEN, PLANNING ENVIRONMENTAL STAFF, NOTED THAT NO COMMENTS WERE RECEIVED FROM THE EAST SIDE UNION HIGH SCHOOL DISTRICT ON THE EIR CONCLUSIONS REGARDING STUDENT GENERATION RATES.

REGARDING GEOLOGIC ISSUES, MR. DANIELSEN NOTED THAT THE EIR IDENTIFIES BUILDING EXCLUSION ZONES TO PROTECT FROM FAULT RUPTURE AND LANDSLIDE. ADDITIONAL GEOLOGIC HAZARDS CLEARANCES WOULD BE REQUIRED.

MANUEL PINEDA, DEPARTMENT OF TRANSPORTATION STAFF, ADDRESSED COMMENTS REGARDING ADEQUACY OF ANALYSIS OF FREEWAY WAIT

TIMES, NOTING THAT IT WAS CALTRANS THAT PREPARED THE QUEUING ANALYSIS. MR. PINEDA ADDED THAT THE EIR IDENTIFIED MULTIPLE IMPACTS TO 18 FREEWAY SEGMENTS. WITH RESPECT TO DOWNGRADING CERTAIN STREET SEGMENTS FROM FOUR LANES TO TWO LANES, MR. PINEDA NOTED THAT ANALYSIS OF PROJECTED VOLUMES SHOWED THAT TWO LANES WOULD BE SUFFICIENT.

AKONI DANIELSEN EXPLAINED THAT THE FOUR OPPORTUNITY SITES WERE SURVEYED BY QUALIFIED BIOLOGISTS AND THAT THE EIR WAS REFERRED TO ENVIRONMENTAL GROUPS AND STATE AGENCIES, INCLUDING THE DEPARTMENT OF FISH AND GAME, AND THAT THERE WERE NO COMMENTS TO MODIFY THE EIR.

ON THE ISSUE OF AGRICULTURAL IMPACTS, AKONI DANIELSEN EXPLAINED THAT THE DRAFT EIR DISCLOSED THAT THE STATE MAPPED PROPERTIES AS HAVING IMPORTANT AGRICULTURAL LANDS. DURING THE DRAFT EIR CIRCULATION THE STATE DEPARTMENT OF CONSERVATION STATED THAT THE MAPPINGS WERE IN ERROR AND THAT THE PROPERTIES DID NOT CONTAIN SIGNIFICANT AGRICULTURAL LANDS.

REGARDING THE PACKET OF INFORMATION DISTRIBUTED BY KELLY ERARDI TO THE PLANNING COMMISSION AND STAFF, AKONI DANIELSEN NOTED THAT THE DRAFT EIR COMMENT PERIOD CONCLUDED ON MARCH 20, 2006 AND THAT STAFF ONLY RECEIVED A COPY OF MR. ERARDI'S PACKET AT THE NOVEMBER 8, 2006 PLANNING COMMISSION HEARING. AKONI DANIELSEN AND Nanci Klein, OFFICE OF ECONOMIC DEVELOPMENT STAFF, RESPONDED TO A COMMENT IN THE PACKET, WHICH STATED THAT CEQA REQUIRES DISCLOSURE AND ANALYSIS OF PHYSICAL IMPACTS RESULTING FROM ECONOMIC EFFECTS OF A PROPOSED PROJECT. Nanci Klein STATED THAT, GIVEN THE RETAIL MARKET, BLIGHT IS HIGHLY UNLIKELY.

CHAIR CAMPOS ASKED THE CITY ATTORNEY TO EXPLAIN THE THRESHOLDS TO CERTIFY THE EIR. THE CITY ATTORNEY EXPLAINED THAT THE EIR IS A DISCLOSURE DOCUMENT, AND THAT THE VOTE BY THE PLANNING COMMISSION ON THE EIR IN NO WAY MEANS THAT THE PLANNING COMMISSION IS VOTING FOR THE PROJECT. IF THE PLANNING COMMISSION DIDN'T CERTIFY THE EIR THEN NO ACTION COULD BE TAKEN ON THE REMAINING ITEMS.

The Commission certified the EIR.

2. PUBLIC HEARING ON THE PROPOSED UPDATE TO THE EVERGREEN DEVELOPMENT POLICY for the Evergreen•East Hills area of San José. SNI: K.O.N.A, West Evergreen and East Valley/680 Communities. CEQA: Resolution to be Adopted. Council Districts: 5, 7 and 8.

THE PLANNING COMMISSION VOTED 7-0-0 TO RECOMMEND APPROVAL OF ITEMS 7.A.2 AND 7.B.1-5 IN ONE MOTION AS FOLLOWS:

THAT THE PLANNING COMMISSION HAS CONSIDERED THE EIR AND FIND IT IN COMPLIANCE WITH CEQA; THAT THE CITY COUNCIL ADOPT EITHER STAFF'S OR THE DEVELOPERS' PROPOSED LAND USE ALTERNATIVES FOR THE FOUR OPPORTUNITY SITES OR A RECONCILED ALTERNATIVE. THE PLANNING COMMISSION ALSO RECOMMENDED APPROVAL OF THE PROPOSED REVISED EVERGREEN DEVELOPMENT POLICY (EDP) WITH THE FOLLOWING COMPONENTS; (1) ARCADIA COMMUNITY CENTER TO OCCUR IN PHASE II; (2) LIMIT THE SIZE OF A GROCERY STORE ON THE EVERGREEN VALLEY COLLEGE SITE TO 20,000 SQUARE FEET; (3) TASK FORCE AMENITY PRIORITIZATION "H" (IN PLANNING COMMISSION ATTACHMENT #4); (4) RESERVE 40 ACRES ON THE CAMPUS INDUSTRIAL SITE FOR A HIGH SCHOOL; AND (5) THE "RESIDENTIAL POOL" SHOULD INCORPORATE THE FOLLOWING: (A) RESIDENTIAL "POOL" UNITS BE A MINIMUM OF 500 UNITS (NOT A MAXIMUM); (B) ANY EXCESS UNITS FROM THE OPPORTUNITY SITES SHOULD GO TO THE POOL; (C) POOL UNITS SHOULD BE AVAILABLE IMMEDIATELY AFTER EVERGREEN DEVELOPMENT POLICY APPROVAL; AND (D) POOL CRITERIA SHOULD BE FLEXIBLE TO ENSURE PARTICIPATION OF ALL POTENTIAL INFILL PARCELS.

JOE HEAD, OF SUMMERHILL HOMES, AND STEVE DUNN, OF LEGACY PARTNERS, PRESENTED THE DEVELOPERS' PROPOSAL. MR. HEAD AND MR. DUNN WERE ALSO IDENTIFIED AS MEMBERS OF THE EVERGREEN-EAST HILLS VISION STRATEGY TASK FORCE.

SYLVIA ALVAREZ AND BOB LEVY REPRESENTING THE EVERGREEN-EAST HILLS VISION STRATEGY TASK FORCE, PRESENTED THE TASK FORCE PRIMARY PROPOSAL.

STAFF PRESENTED RECOMMENDATIONS ON THE PROPOSED EVERGREEN DEVELOPMENT POLICY UPDATE AND GENERAL PLAN AMENDMENTS.

COMMISSIONER KAMKAR ASKED ABOUT INTERSECTIONS OPERATING AT LEVEL OF SERVICE "E". STAFF RESPONDED THAT UNDER ALL OF THE SCENARIOS EVALUATED IN THE EIR THERE WOULD BE MULTIPLE INTERSECTIONS THAT OPERATE AT LEVEL OF SERVICE "E" OR "F".

COMMISSIONER PLATTEN ASKED IF THE AVAILABILITY OF STATE BOND MONEY FOR TRANSPORTATION IMPROVEMENTS WOULD ALLOW THE NUMBER OF UNITS PROPOSED BY THE DEVELOPERS TO BE REDUCED. JOE HEAD RESPONDED THAT THE DEVELOPERS' PROPOSAL PROVIDES FUNDING CERTAINTY.

COMMISSIONER PLATTEN ASKED IF THE HITACHI FACILITY ON THE CAMPUS INDUSTRIAL SITE WOULD BE COMPROMISED WITH THE

PROPOSED CONVERSION. STEVE DUNN ANSWERED THAT HITACHI HAS ROOM ON THEIR SITE FOR EXPANSION.

COMMISSIONER PLATTEN ASKED IF THE EAST SIDE UNION HIGH SCHOOL DISTRICT HAD ASKED THE DEVELOPERS TO RESERVE LAND FOR A HIGH SCHOOL. JOE HEAD ANSWERED, NO.

COMMISSIONER PLATTEN ASKED THE DEVELOPERS ABOUT THE TASK FORCE ALTERNATIVE PROPOSAL THAT CAN PROVIDE \$235 MILLION FOR TRANSPORTATION IMPROVEMENTS AND COMMUNITY AMENITIES. JOE HEAD RESPONDED THAT THE DIFFERENCE IS NOT IN THE QUANTITY OF UNITS, BUT IN THE COMPOSITION. SINGLE-FAMILY DETACHED UNITS CONTRIBUTE MORE MONEY AND CAN BE BUILT AT A LOWER COST.

COMMISSIONER ZITO ASKED STAFF TO CONFIRM THAT A SIGNIFICANT PORTION OF THE DEVELOPERS' PROPOSED CONTRIBUTION WOULD GO TO TRAFFIC IMPROVEMENTS. STAFF RESPONDED, YES.

COMMISSIONER ZITO ASKED HOW MUCH PARKLAND WOULD NEED TO BE DEDICATED. DAVE MITCHELL, PARKS, RECREATION & NEIGHBORHOOD SERVICES STAFF, ANSWERED THAT UNDER THE DEVELOPER PROPOSAL: 42.6 ACRES, THE TASK FORCE PROPOSAL: 28 ACRES, AND THE STAFF RECOMMENDATION: 33.6 ACRES.

COMMISSIONER ZITO REQUESTED CLARIFICATION THAT THE CITY WOULD NOT BE GETTING 47 ACRES OF ADDITIONAL LAND UNDER THE DEVELOPER PROPOSAL. JOE HEAD ACKNOWLEDGED THAT IN TOTAL THE AMOUNT OF LAND WOULD BE OVER AND ABOVE WHAT WOULD NORMALLY BE REQUIRED. COMMISSIONER ZITO ASKED IF THE DEVELOPERS WERE DEDICATING THE LAND FOR THE SCHOOLS FOR FREE. JOE HEAD RESPONDED THAT IN SOME CASES THE LAND WOULD BE FOR SALE. COMMISSIONER ZITO ASKED IF THE DEVELOPERS' CONTRIBUTION TO SCHOOLS WOULD BE ABOVE THEIR \$235 MILLION CONTRIBUTION. JOE HEAD ANSWERED, YES. COMMISSIONER ZITO ASKED JOE HEAD IF BIGGER HOUSES WOULD GENERATE MORE MONEY. MR. HEAD ANSWERED, YES.

COMMISSIONER ZITO EXPLAINED THAT MEMBERS OF THE TASK FORCE COMPLETED A VARIABLE CONTRIBUTION ANALYSIS FOR THE TASK FORCE PROPOSAL AND ASKED JOE HEAD WHAT THE 4,800 UNIT STAFF RECOMMENDATION WOULD PROVIDE IN TERMS OF MONEY. JOE HEAD RESPONDED THAT A FISCAL ANALYSIS IS INAPPROPRIATE TO THE PUBLIC POLICY DISCUSSION. HE STATED FURTHER THAT DISCUSSING TRAFFIC OR HOW TO BUILD A COMMUNITY IS FINE, BUT WHETHER A PROJECT CAN GENERATE \$5 PER SQUARE FOOT OR \$50 PER SQUARE FOOT IS NOT APPROPRIATE. COMMISSIONER ZITO STATED THAT THERE IS A DISAGREEMENT ON THE NUMBER OF UNITS IT WOULD TAKE TO PROVIDE THE AMENITIES AND ASKED THE DEVELOPERS TO SHOW WHY THE TASK FORCE'S NUMBERS AREN'T CORRECT. JOE HEAD INDICATED THAT 1,000

UNITS IS A SIGNIFICANT GAP, BUT THAT THE QUESTION SHOULD BE DOES IT MAKE SENSE TO CONVERT THE INDUSTRIAL LANDS AND IF IT DOESN'T THEN WHAT.

COMMISSIONER ZITO ASKED ABOUT STAFF'S RECOMMENDATION FOR 40-PERCENT OPEN SPACE ON THE PLEASANT HILLS GOLF COURSE SITE. STAFF ANSWERED THAT THE CURRENT GENERAL PLAN DESIGNATION OF THE SITE IS PRIVATE RECREATION AND THAT STAFF IS RECOMMENDING NO CHANGE ON A PORTION. IF THE PRESERVED AREA OF PRIVATE RECREATION-DESIGNATED LAND WERE PURCHASED BY THE CITY IN THE FUTURE FOR MUNICIPAL PURPOSES IT WOULD BE CHANGED TO PUBLIC PARK AND OPEN SPACE. COMMISSIONER ZITO ASKED IF THE PROPERTY REMAINED PRIVATE RECREATION, WHO WOULD PAY FOR THE MAINTENANCE? STAFF RESPONDED THAT THE PROPERTY OWNER WOULD BE RESPONSIBLE.

COMMISSIONER ZITO STATED THAT HE WAS HAPPY TO SEE THAT QUIMBY ROAD WAS OFF THE LIST OF STREET SEGMENTS THAT WERE PROPOSED TO BE DOWNGRADED, BUT WAS CONCERNED WITH THE PROPOSAL TO DOWNGRADE MURILLO CONSIDERING MURILLO SERVES TWO EXISTING PLACES OF WORSHIP. STAFF EXPLAINED THAT IT IS POSSIBLE FOR THE PLANNING COMMISSION TO RECOMMEND NO CHANGE, BUT STAFF TOOK INTO CONSIDERATION ISSUES OF LIVABILITY AND THE ADDITION OF BIKE LANES WHEN THE IDENTIFIED STREET SEGMENTS WERE PROPOSED FOR DOWNGRADE.

COMMISSIONER KALRA STATED THAT HE UNDERSTOOD THAT REDUCING THE DEVELOPERS' PROPOSAL BY 1,000 UNITS MIGHT NOT BE FEASIBLE. HE ASKED HOW MUCH THE DEVELOPERS' PROPOSAL COULD BE REDUCED. JOE HEAD ANSWERED THAT IT WOULD TAKE A LENGTHY DISCUSSION IN ORDER FOR THE DEVELOPERS TO CREATE CREDIBILITY THAT THEIR PROPOSAL IS IN THE NEIGHBORHOOD. THE TOTAL FEES THAT THE DEVELOPMENT WOULD NORMALLY HAVE TO PROVIDE ARE SIGNIFICANTLY LESS THAN WHAT IS BEING PROPOSED.

COMMISSIONER KALRA STATED THAT THE AMOUNT OF MONEY COLLECTED FOR TRAFFIC SHOULD BE DEALT WITH BY THE CITY, FOR EXAMPLE THROUGH BOND MONEY FOR HIGHWAY 101. STAFF POINTED OUT THAT THE EVERGREEN DEVELOPMENT POLICY (EDP) STATES THAT IF OTHER FUNDS ARE AVAILABLE FOR TRANSPORTATION IMPROVEMENTS THE MONEY SAVED COULD GO TO PAY FOR OPERATIONS AND MAINTENANCE OF TRANSPORTATION FACILITIES AND COMMUNITY AMENITIES OR IMPLEMENT ADDITIONAL ITEMS FROM THE AMENITIES LIST. STAFF NOTED THAT HIGHWAY 101 IMPROVEMENTS HAVE BEEN A TOP PRIORITY AND UNTIL RECENTLY IT LOOKED LIKE STATE FUNDING FOR HIGHWAY 101 WAS 10-YEARS AWAY. THE EDP ADDRESSES THE OPPORTUNITY THAT STATE BOND MONEY MAY BE AVAILABLE FOR HIGHWAY 101 IMPROVEMENTS.

COMMISSIONER KALRA ASKED WHY STAFF'S RECOMMENDATION REGARDING COMMERCIAL ON THE ARCADIA PROPERTY WAS SO DIFFERENT FROM THE TASK FORCE AND DEVELOPER PROPOSALS. STAFF RESPONDED THAT 300,000 SQUARE FEET WOULD MAXIMIZE THE RETAIL POTENTIAL ON THE SITE, PROVIDE FOR MORE INTERNALIZATION OF LOCAL TRIPS AND PROVIDE ANCHOR STORES TO DRAW OTHER RETAIL AND RESTAURANT TENANTS.

OFFICE OF ECONOMIC DEVELOPMENT STAFF NOTED THAT A BOOKSTORE AND TRADER JOE'S WOULD NOT, FOR VARIOUS REASONS, LOCATE ON THE EASTRIDGE MALL SITE, BUT WOULD WANT TO LOCATE ON THE ARCADIA SITE.

COMMISSIONER KALRA ASKED ABOUT THE AMOUNT OF COMMERCIAL/OFFICE ON THE EVERGREEN COLLEGE SITE. STAFF STATED THAT THE EVERGREEN AREA IS 20-PERCENT UNDER-RETAILED, SO STAFF'S RECOMMENDATION IS TO PROVIDE FLEXIBILITY. COMMISSIONER KALRA EXPRESSED CONCERN ABOUT THE NEGATIVE IMPACTS OF ALLOWING A GROCERY STORE ON THE COLLEGE SITE. STAFF EMPHASIZED THAT IT IS NOT IN THE CITY'S INTEREST TO SEE RETAIL FAIL AND THAT EVEN IF A GROCERY WAS PRECLUDED ON THE COLLEGE SITE THAT WOULD NOT ENSURE THAT LUNARDI'S WOULDN'T FAIL.

MYRON CRAWFORD, REPRESENTING BERG AND BERG ENTERPRISES, NOTED OBJECTIONS TO RETENTION OF ANY CAMPUS INDUSTRIAL LANDS AND ANY REQUIREMENTS FOR AFFORDABLE OR IN-LIEU FEES ON CAMPUS INDUSTRIAL SITES. COMMISSIONER KAMKAR ASKED MR. CRAWFORD'S OPINION ON THE VALUE OF JOBS BEING CLOSER TO RESIDENTIAL TO REDUCE TRAFFIC. MR. CRAWFORD ANSWERED THAT INDUSTRIAL GENERATES DOUBLE THE NUMBER OF TRIPS COMPARED WITH RESIDENTIAL. COMMISSIONER KAMKAR RESPONDED THAT INDUSTRIAL TRAFFIC IS NOT DURING PEAK TIME, SO IT'S NOT THE NUMBER OF TRIPS, BUT THE TIME. MR. CRAWFORD CLARIFIED THAT HE RAISED OBJECTIONS TO MAINTAIN LEGAL RIGHTS TO CHALLENGE. THE CITY ATTORNEY ASKED MR. CRAWFORD TO CLARIFY THAT BERG & BERG ENTERPRISES IS PART OF THE DEVELOPERS' VOLUNTARY OFFER OF \$235 MILLION. MR. CRAWFORD ANSWERED YES BERG & BERG ENTERPRISES IS PART OF THE OFFER.

JIM RENDLER, ON BEHALF OF HIS GRANDMOTHER, AN EVERGREEN RESIDENT AND OWNER OF A SMALL PARCEL, ASKED IF THE 500 RESIDENTIAL POOL UNIT ESTIMATE WAS BASED ON CURRENT GENERAL PLAN DESIGNATIONS AND ASKED THAT SMALL SITES HAVE OPPORTUNITIES TO DEVELOP. STAFF ANSWERED THAT IT WAS ANTICIPATED THAT THERE WOULD BE SOME GENERAL PLAN AMENDMENTS ON A CASE-BY-CASE BASIS. COMMISSIONER KAMKAR ASKED ABOUT MR. RENDLER'S EXPERIENCE AS A SMALL PROPERTY OWNER IN THE PROCESS. MR. RENDLER STATED THAT HE HAS ATTENDED MANY TASK FORCE MEETINGS OVER APPROXIMATELY ONE YEAR. CHAIR

CAMPOS ASKED IF MR. RENDLER WAS AMENABLE TO INCLUSIONARY HOUSING REQUIREMENTS ON HIS PROPERTY. MR. RENDLER ANSWERED THAT HE WASN'T SURE.

CARLOS DASILVA, TASK FORCE MEMBER AND CO-CHAIR OF THE WEST EVERGREEN SNI, EXPRESSED THAT HIS MAIN CONCERN IS THE COMMUNITY CENTER PROPOSED ON THE ARCADIA SITE, AND THAT HE FELT IF THE COMMUNITY CENTER IS NOT AT THE TOP OF THE AMENITIES LIST IT WOULD GET LEFT OUT. MR. DASILVA ALSO NOTED HIS CONCERN THAT THE ARCADIA SITE IS TURNING INTO THE DUMPING GROUND FOR THE AREA'S AMENITIES AND PROPOSED COMMERCIAL SPACE.

STEVEN COX, TASK FORCE MEMBER REPRESENTING CITYWIDE BUSINESS INTERESTS, STATED HIS OPPOSITION TO STAFF'S AND THE TASK FORCE RECOMMENDATIONS TO RETAIN A PORTION OF THE CAMPUS INDUSTRIAL AREA. HE ADDED THAT THE LOCATION IS INAPPROPRIATE AND THAT 4.66 MILLION SQUARE FEET OF INDUSTRIAL COULD BE BUILT WITHOUT ANY TRAFFIC IMPROVEMENTS.

EVERGREEN RESIDENTS LOU KVITEK, DAVE TANG, BONNIE MACE, TOM HUFF, JEAN VALENCIA, FRANK BIEHL, MICHELLE TANG, KEVIN VITALE, BEA BAECHLE, ANA HUFF, AND ROBIN GUZIKOWSKI SPOKE REGARDING THE NEED FOR A NEW HIGH SCHOOL IN THE EVERGREEN AREA. MUCH OF THE INDIVIDUAL TESTIMONY REGARDING THE HIGH SCHOOL ISSUE WAS GIVEN AS PART OF A PRESENTATION THAT WAS DISTRIBUTED TO THE PLANNING COMMISSION AND STAFF. THE PRESENTERS INDICATED THE FOLLOWING: SUPPORT FOR BOTH THE TASK FORCE PROPOSAL AND STAFF RECOMMENDATION WITH HIGH SCHOOL LAND BEING RESERVED; THAT THE HIGH SCHOOL BOARD IS INDECISIVE ON THE TOPIC; BOUNDARY CHANGES WILL NOT HELP; OPPORTUNITY SITES ARE THE ONLY OPTION FOR LOCATING A NEW HIGH SCHOOL; EDENVALE IS NOT A VIABLE OPTION; OUTSIDE THE URBAN SERVICE AREA IS NOT AN OPTION; CONSIDER SPLITTING THE HIGH SCHOOL DISTRICT; PEOPLE WHO CAN AFFORD TO, SEND THEIR KIDS TO PRIVATE SCHOOL; AND PEOPLE ARE MOVING OUT OF THE NEIGHBORHOOD BECAUSE THERE ARE NO GOOD ALTERNATIVES AT THE HIGH SCHOOL LEVEL. FRANK BIEHL, RECENTLY ELECTED TO HIGH SCHOOL DISTRICT BOARD, STATED THAT THE PROBLEM WITH THE EAST SIDE UNION HIGH SCHOOL DISTRICT IS THAT IT IS NOT ORIENTED TO LONG-TERM PLANNING, THAT THE BOARD IS INVOLVED IN SHORT-TERM ISSUES, BUT THAT THERE IS A NEED FOR A LONG-TERM PLAN. COMMISSIONER PLATTEN ASKED MR. BIEHL ABOUT THE DISTRICT'S APRIL 12TH LETTER THAT TALKED ABOUT LAND SOUTH OF THE EDP AREA. MR. BIEHL ANSWERED THAT HE WAS NOT SURE WHAT THE BOARD'S POSITION IS, BUT NOTED THAT THERE WAS SOME DISCUSSION AMONG DISTRICT STAFF ABOUT A HIGH SCHOOL IN EDENVALE, BUT THAT PROPOSAL WAS NOT SUPPORTED BY CITY STAFF. MR. BIEHL NOTED THAT THERE IS A LOT OF COMMUNITY RESISTANCE TO SENDING KIDS TO A SCHOOL THAT IS NOT THE CLOSEST. COMMISSIONER ZITO ASKED WHERE THE DEMOGRAPHERS REPORT INDICATES THERE IS

CAPACITY IN THE DISTRICT. MR. BIEHL STATED THAT CAPACITY TENDS TO BE IN THE NORTH PART OF THE DISTRICT (INDEPENDENCE, YERBA BUENA AND JAMES LICK HIGH SCHOOLS), SILVER CREEK AND EVERGREEN VALLEY HIGH SCHOOLS ARE IMPACTED. COMMISSIONER KALRA NOTED THAT THE HIGH SCHOOL DISTRICT HAS NOT AGREED THAT A NEW HIGH SCHOOL SITE WOULD BE NECESSARY. MR. BIEHL STATED THAT THEY MAY HAVE INDICATED A NEED IN THE SOUTHERN PART OF THE DISTRICT, PROBABLY IN EDENVALE, BUT BASED ON COMMUNITY FEEDBACK THE NEED IS IN EVERGREEN.

MICHAEL MACE, EVERGREEN RESIDENT, ASKED TO HOLD THE EVERGREEN COLLEGE TO THEIR PREVIOUS COMMITMENT TO NOT BUILD A GROCERY STORE AND STATED THAT THE EAST SIDE UNION HIGH SCHOOL DISTRICT DOESN'T UNDERSTAND THE EVERGREEN AREA.

ROGELIO RUIZ, REPRESENTING THE EAST SIDE UNION HIGH SCHOOL DISTRICT, PROVIDED CLARIFICATION ON AN EARLIER DISCUSSION REGARDING THE APRIL 12, 2006 LETTER SIGNED BY THE DISTRICT SUPERINTENDENT AND THE BOARD PRESIDENT, WHICH REPRESENTED THE DISTRICT'S OFFICIAL POLICY POSITION AS ADOPTED BY A MAJORITY OF THE BOARD. REGARDING THE RESERVATION OF LAND, THE BOARD DISCUSSION WAS TO RESERVE LAND IN THE SOUTHEAST PORTION OF THE DISTRICT, NOT WITHIN THE EVERGREEN STUDY AREA. RESPONDING TO A QUESTION FROM COMMISSIONER KAMKAR, MR. RUIZ STATED THAT THE LIKELIHOOD OF ELIGIBILITY FOR FUNDING A NEW HIGH SCHOOL IS LOW GIVEN THE CAPACITY WITHIN THE DISTRICT. COMMISSIONER ZITO ASKED IF THE DEVELOPERS' WERE GOING TO CONTRIBUTE TO THE DISTRICT'S CAPITAL IMPROVEMENT PROGRAM. MR. RUIZ ANSWERED THAT THERE HAVE BEEN DISCUSSIONS WITH THE DEVELOPERS' TO REACH AN AGREEMENT TO INCLUDE DEVELOPMENT FEES BEYOND WHAT WOULD NORMALLY BE REQUIRED BY LAW. COMMISSIONER ZITO ASKED IF THAT MEANT SCHOOLS WOULD BE MADE BIGGER. MR. RUIZ RESPONDED THAT ONE WAY TO USE THE FEES WOULD BE TO MODERNIZE EXISTING SCHOOLS, LOOK AT SCHOOLS WHERE THERE IS SOME CAPACITY AND RE-ALIGN BOUNDARIES WHICH COULD RELIEVE PRESSURE IN THE SOUTHERN PART OF THE DISTRICT.

PAT SAUSED0, REPRESENTING CANYON CREEK AND EVERGREEN VILLAGE CENTER, STATED THAT THE EVERGREEN SPECIFIC PLAN (ESP) TASK FORCE IN THE EARLY 1990'S DETERMINED THAT A GROCERY STORE IS CRITICAL TO ANCHOR THE EVERGREEN VILLAGE CENTER OR THE REST OF THE CENTER WOULD NOT SURVIVE. ANSWERING A QUESTION FROM COMMISSIONER ZITO, MS. SAUSED0 NOTED THAT THE MARKET ANALYSIS SHOWED THE MARKET IS ALREADY OVER-SATURATED WITH GROCERY STORES AND THAT STAFF SUPPORTING A GROCERY STORE ON EVERGREEN COLLEGE IS SHOCKING. COMMISSIONER ZITO ASKED HOW THE EVERGREEN SPECIFIC PLAN DEALT WITH THE HIGH SCHOOL ISSUE. MS. SAUSED0 ANSWERED THAT THE EAST SIDE UNION HIGH SCHOOL DISTRICT OWNED PROPERTY ON QUIMBY AND PROACTIVELY MOVED

FORWARD WITH PLANS FOR A NEW HIGH SCHOOL. TO COMMISSIONER ZITO'S QUESTION ABOUT WHETHER ESP ITSELF JUSTIFIED A NEW HIGH SCHOOL, MS. SAUSEDO ANSWERED THAT SHE DIDN'T BELIEVE IT DID ON ITS OWN. CHAIR CAMPOS ASKED WHAT CONSTITUTES A FULL-SERVICE GROCERY. MS. SAUSEDO ANSWERED THAT 50,000 SQUARE FEET WOULD BE A FULL SERVICE GROCERY STORE AND THAT LUNARDI'S IS APPROXIMATELY 35,000 SQUARE FEET.

KELLY ERARDI, REPRESENTING SHAPELL INDUSTRIES, OWNERS AND DEVELOPERS OF THE EVERGREEN VILLAGE CENTER, READ FROM STAFF REPORTS REGARDING THE EVERGREEN VILLAGE CENTER AND PROPOSED GENERAL PLAN CHANGE AT THE EVERGREEN VALLEY COLLEGE, WHERE STAFF RECOMMENDED NO CHANGE TO THE COLLEGE GENERAL PLAN DESIGNATION BECAUSE IT WOULD HARM THE EXISTING VILLAGE CENTER. MR. ERARDI STATED THAT A SUPERMARKET AT THE COLLEGE SITE WOULD HAVE NEGATIVE AFFECTS ON THE VILLAGE CENTER. CHAIR CAMPOS ASKED IF 50,000 SQUARE FEET WAS LARGE ENOUGH TO ACCOMMODATE A FULL-SERVICE GROCERY. MR. ERARDI STATED THAT 50,000 SQUARE FEET IS IN THE RANGE OF A FULL-SERVICE GROCERY NOTING A FEW SHAPELL PROJECTS: NOB-HILL IS 30,000 SQUARE FEET, SAFEWAY 55-60,000 SQUARE FEET, WHOLE FOODS 30,000 SQUARE FEET, AND LUNARDI'S 40,000 SQUARE FEET.

ALONZO PEDRIN, REPRESENTING ALFRED GOBAR ASSOCIATES, STATED THAT THE SUCCESS OF A GROCERY STORE AT THE EVERGREEN COLLEGE SITE WOULD BE AT THE EXPENSE OF THE EVERGREEN VILLAGE CENTER AND CANYON CREEK PLAZA. MR. PEDRIN NOTED THAT THERE IS POTENTIAL FOR RETAIL, NOT A GROCERY STORE ON THE COLLEGE SITE. HE STATED THAT THE GENERAL PLAN AMENDMENT DOESN'T ADDRESS THE ISSUE OF URBAN DECAY.

CHARLES PEROTTA, EVERGREEN RESIDENT, STATED THAT THE REDUCTION IN TRAFFIC FROM LEVEL OF SERVICE (LOS) D TO E OR F WOULD RESULT IN CIVIL UNREST, THAT ADDING A LANE TO HIGHWAY 101 WOULDN'T HELP, THAT HE WAS UNCLEAR HOW MUCH MONEY WOULD BE COMING FROM THE DEVELOPERS VERSUS A FINANCING DISTRICT, AND THAT THERE WAS NO NEXUS FOR USING A FINANCING DISTRICT TO PAY FOR GENERAL BENEFIT IMPROVEMENTS.

ED ABELITE, MANAGING GENERAL PARTNER OF CANYON CREEK PLAZA, STATED HIS OPPOSITION TO THE EVERGREEN VALLEY COLLEGE'S PROPOSAL TO DEVELOP A FULL-SERVICE GROCERY STORE. MR. ABELITE REFERENCED VISION AND EXPECTED OUTCOME NO. 7, WHICH STATES: "CAPTURE NEW RETAIL AND COMMERCIAL OPPORTUNITIES WHILE STRENGTHENING ALL EXISTING RETAIL INCLUDING THE COMMERCIAL CENTER AT THE EVERGREEN VILLAGE". MR. ABELITE NOTED THAT HE HAD 2,976 NAMES ON A PETITION AGAINST A NEW GROCERY STORE. HE STATED HE EXPECTED TO HAVE 5,000 NAMES BY THE CITY COUNCIL MEETING. MR. ABELITE CONCURRED THAT THE AREA DIDN'T NEED

ANOTHER GROCERY STORE. COMMISSIONER KALRA ASKED HOW MR. ABELITE FELT ABOUT TRIGGERS SUCH AS THE BUSINESS SUCCESS OF COSENTINO'S AND LUNARDI'S AND HOUSING DEVELOPMENT. MR. ABELITE STATED THAT HIS PREFERENCE WOULD BE NO TRIGGERS AND THAT 3,600 TO 5,700 DWELLING UNITS DID NOT REPRESENT A LOT OF STOMACHS WITH A LARGE PORTION OF THOSE NOT RELATED TO THE AREA.

JOAN GALLO, REPRESENTING CANYON CREEK PLAZA, REFERENCED A LETTER SUBMITTED TO THE PLANNING COMMISSION. MS. GALLO STATED THAT THE SPECTER OF A FULL-SERVICE GROCERY POSSIBILITY AT THE COLLEGE SITE MEANS FUTURE TENANTS OF THE COSENTINO'S SPACE WOULD BE WARY OF MOVING IN.

ELLIE GLASS, REPRESENTING THE PALA RANCHO NEIGHBORHOOD COMPOSED OF 248 HOMES AND A CABANA CLUB, STATED THAT WITH THE PROPOSAL FOR THE PLEASANT HILLS GOLF COURSE SITE, QUALITY OF LIFE IS AT RISK. MS. GLASS ASKED THAT THE PLEASANT HILLS GOLF COURSE BE RETAINED AS OPEN SPACE AND THAT THE PLANNING COMMISSION HAD THE POWER TO MAKE THAT RECOMMENDATION. MS. GLASS ALSO NOTED THAT THE HOUSES IN THE AREA HAVE NOT BEEN SELLING, STAYING ON THE MARKET FOR 6 TO 9 MONTHS.

SHAWNA SANDERS, REPRESENTING THE PALA RANCHO NEIGHBORHOOD, STATED THAT THE PLEASANT HILLS GOLF COURSE IS UNIQUE AMONGST THE OTHER OPPORTUNITY SITES IN THAT IT IS CURRENTLY ZONED PRIVATE RECREATION AND WAS OPERATED AS A SUCCESSFUL GOLF COURSE. MS. SANDERS NOTED THAT THE SITE WAS ONLY PART OF THE PROCESS FOR TWO YEARS. SHE ASKED FOR CLARIFICATION ON THE DIFFERENCE BETWEEN THE TASK FORCE PROPOSAL AND STAFF RECOMMENDATION.

IKE WHITE, REPRESENTING THE PLEASANT HILLS NEIGHBORHOOD ASSOCIATION, SUGGESTED IF THE PLEASANT HILLS GOLF COURSE SITE IS DEVELOPED CONCERNS REGARDING INCREASED TRAFFIC WILL HAVE TO BE ADDRESSED TOGETHER WITH HOW PEOPLE WILL GET TO SCHOOL ONTO OR FROM THE GOLF COURSE SITE WITHOUT IMPACTING FLINT AVENUE.

MIKE ALVARADO, EVERGREEN RESIDENT, STATED THREE FACTORS/CONCERNS: THAT THERE IS NOT EQUITY IN WHO IS BEARING THE COST OF DEVELOPMENT; THE PLANNING PROCESS WAS COMPROMISED; AND SMALL JOB CREATORS WERE NOT REPRESENTED. MR. ALVARADO RECOMMENDED THE PLANNING COMMISSION EITHER ADOPT THE TASK FORCE PROPOSAL OR POSTPONE CONSIDERATION AND INCORPORATE THE PROJECT INTO THE GENERAL PLAN UPDATE.

TERRY GOTCHER, EVERGREEN RESIDENT, MADE THE ANALOGY THAT AMENITIES ARE LIKE A BURGLAR THAT BREAKS INTO YOUR HOUSE AND

THEN OFFERS SOME OF YOUR PROPERTY BACK IF YOU DON'T TELL THE AUTHORITIES.

GORDON LUND, EVERGREEN RESIDENT, SUGGESTED THAT IT WOULD BE A SHAME TO GIVE UP RIGHT-OF-WAY ON MURILLO. MR. LUND STATED THAT QUALITY OF LIFE EQUALS JOBS, RESIDENTIAL AND AMENITIES ALTOGETHER IN THE SAME COMMUNITY AND NOT JUST CORPORATE, BUT SMALL BUSINESSES TOO. HE SUGGESTED AN ALTERNATIVE FOR THE EVERGREEN COLLEGE SITE WOULD BE A LARGE SPORTS CENTER.

MICHAEL HILL, REPRESENTING THE SAN JOSÉ/EVERGREEN COMMUNITY COLLEGE DISTRICT, NOTED THAT THE STUDIES FOR THE EVERGREEN SPECIFIC PLAN WERE DONE IN 1991 AND NOW IT IS 2006, AND THAT THE CITY RETAIL STUDY IS UN-BIASED IN ITS CONCLUSION THAT THE EVERGREEN COLLEGE SITE WAS THE BEST SITE FOR A NEW SUPERMARKET WITH FULL BUILD-OUT OF LUNARDI'S. COMMISSIONER KALRA ASKED IF THE COLLEGE HAD ANY ALTERNATE USE IDEAS. MR. HILL STATED THAT THE DISTRICT HAS TALKED TO MANY INTERESTED PARTIES ABOUT THEIR MIXED-USE PLAN THAT INCLUDES 40-PERCENT DEED RESTRICTED AFFORDABLE HOUSING, INCLUDING TALKING TO SHAPELL AND ED ABELITE ABOUT OPTIONS. THE COLLEGE DISTRICT IS NOT INTENDING TO SELL THE PROPERTY, BUT WILL BE INVOLVED IN LONG-TERM LEASING. COMMISSIONER KALRA ASKED ABOUT THE POSSIBILITY OF A SMALLER GROCERY STORE OF 20-25,000 SQUARE FEET. MR. HILL ANSWERED THAT THERE HAS NOT BEEN INTEREST FOR A SMALL STORE, BUT THERE HAS BEEN INTEREST FOR A LARGER STORE. COMMISSIONER ZITO ASKED ABOUT THE EVERGREEN COLLEGE LETTER THAT MANY PEOPLE REFER TO. MR. HILL ANSWERED THAT AT THE TIME THE LETTER WAS WRITTEN IN OCTOBER 1996 THE COLLEGE DETERMINED THAT THEY WOULD GO FORWARD WITH THE PROPOSAL THAT THEY WANTED, BUT WOULD LIMIT THEIR DEVELOPMENT TO 6 ACRES. THE DISTRICT HONORED THAT AGREEMENT, BUT NOT IN PERPETUITY. COMMISSIONER ZITO ASKED WHEN THE COLLEGE WOULD SEE A GROCERY STORE COME ON-LINE. MR. HILL RESPONDED THE EARLIEST WOULD BE TWO YEARS, MAYBE AS LONG AS THREE YEARS. COMMISSIONER ZITO ASKED ABOUT WHETHER A HIGH SCHOOL ON THE 27 ACRES OF EVERGREEN COLLEGE WOULD BE FEASIBLE. MR. HILL STATED THAT THE COLLEGE DISTRICT TALKED TO THE HIGH SCHOOL DISTRICT IN THE 1990'S, BUT THAT THE HIGH SCHOOL DISTRICT WANTED PROPERTY FURTHER SOUTH AND HAD CONFLICTING ISSUES THAT WOULD NEED TO BE WORKED THROUGH. MR. HILL ADDED THAT IF THE HIGH SCHOOL DISTRICT WANTED THE LAND, THE COLLEGE DISTRICT WOULD EXPECT THEM TO PAY RENT RIGHT AWAY.

DAN GOULD, EVERGREEN RESIDENT, STATED THAT LEVEL OF SERVICE "E" IS NOT ACCEPTABLE AND THAT ANY FEES DERIVED FROM LOCAL DEVELOPMENT SHOULD REMAIN LOCAL, SHOULDN'T PAY FOR 101 OR GO TO THE EAST SIDE UNION HIGH SCHOOL DISTRICT.

HOMING YIP, EVERGREEN RESIDENT, STATED THAT THE PROJECT HAS NO IMPROVEMENTS, AND THAT 6,000 HOUSES VERSUS 3,000 HOUSES DOESN'T MAKE A DIFFERENCE, BECAUSE ADDING ONE HOUSE ADDS DELAY.

BOB RIVET, EVERGREEN RESIDENT, EXPRESSED THAT THERE IS A BIG DIFFERENCE BETWEEN 3,600 UNITS AND 5,700 UNITS AND THAT HE WOULD BE WILLING TO GIVE UP AMENITIES TO HAVE 2,000 LESS UNITS.

THE DEVELOPER GROUP REPRESENTATIVES, TASK FORCE REPRESENTATIVES AND STAFF PROVIDED CLOSING COMMENTS. JOE HEAD STATED THAT THE DEVELOPERS' DON'T FAVOR OR DIS-FAVOR A HIGH SCHOOL AND NOTED THAT THE ELEMENTARY SCHOOL DISTRICTS CAME TO THE DEVELOPERS WITH A CLEAN DESCRIPTION OF WHAT THEY NEEDED. MR. HEAD ADDED THAT THE CHOICE OF AMENITIES IS THE CITY'S DECISION. COMMISSIONER PLATTEN ASKED IF THE 50-ACRE REQUIREMENT FOR A HIGH SCHOOL WAS INFEASIBLE. JOE HEAD RESPONDED THAT IF ALL OTHER REQUIREMENTS REMAIN THE SAME THEN YES, BUT IF THERE IS ROOM TO CONSIDER TRADING-OFF OTHER AMENITIES, THEN THAT SIZE HIGH SCHOOL MAY BE FEASIBLE. COMMISSIONER ZITO ASKED LOU KVITEK IF THE PUBLIC WAS ASKING FOR A GIFT OF LAND FOR A HIGH SCHOOL. MR. KVITEK ANSWERED, NO, JUST RESERVATION OF LAND, AND ONLY 40 ACRES. STAFF PROVIDED AN OVERVIEW OF STAFF'S RECOMMENDATION, WHICH WAS BASED ON CONSISTENCY WITH THE: COUNCIL-ADOPTED VISION & EXPECTED OUTCOMES; THE SAN JOSÉ 2020 GENERAL PLAN MAJOR STRATEGIES AND GOALS; AND THE COUNCIL ADOPTED FRAMEWORK FOR CONVERSION OF EMPLOYMENT LANDS TO OTHER USES.

STAFF RESPONDED TO THE ISSUES RAISED REGARDING THE NEED FOR A NEW HIGH SCHOOL BY CITING STATE LAW, WHICH LIMITS MITIGATION FOR SCHOOL IMPACTS FROM NEW DEVELOPMENT TO FEES PAID BASED ON PRESCRIBED FORMULAS. STAFF ALSO NOTED THAT ANY OF THE PROPOSED DEVELOPMENT SCENARIOS WOULD RESULT IN SIGNIFICANT UNAVOIDABLE ENVIRONMENTAL IMPACTS.

CHAIR CAMPOS EXPRESSED CONCERN WITH HOW THE EVERGREEN DEVELOPMENT POLICY PROPOSED TO DIVIDE UP THE ALLOCATION POOL OF RESIDENTIAL UNITS RESERVED FOR SMALL PROJECTS. HE WAS CONCERNED THAT THERE MIGHT NOT BE ENOUGH 4-UNIT OR LESS PROJECTS AND UNITS MIGHT SIT IN THE POOL UN-USED. CHAIR CAMPOS SUGGESTED PROVIDING FLEXIBILITY BY INCREASING THE POOL TO 10-UNITS OR LESS. COMMISSIONER ZITO ASKED STAFF THE IMPACT OF GOING TO 10-UNITS OR LESS. STAFF RESPONDED THAT THERE PROBABLY WOULD NOT BE MUCH IMPACT.

COMMISSIONER ZITO STATED THAT THE DEVELOPERS EXPECT THE POOL UNITS TO PAY INTO THE \$235 MILLION DEVELOPER CONTRIBUTION. THE CITY ATTORNEY RESPONDED THAT THERE HAS TO BE A NEXUS UNDER STATE LAW FOR SUCH A REQUIREMENT, AND THERE IS NO NEXUS

BETWEEN THE POOL UNITS AND THE AMENITIES. THE \$235 MILLION PROPOSED BY THE DEVELOPERS DOESN'T HAVE A NEXUS TO THE PROPOSED NEW RESIDENTIAL DEVELOPMENT.

COMMISSIONER ZITO ASKED WHAT IS THE INTENT OF THE POOL UNITS AND WHAT WOULD HAPPEN IF THE POOL WERE ZERO. STAFF RESPONDED THAT THE POOL UNITS ARE A RELIEF VALVE TO ALLOW INFILL AND RE-USE DEVELOPMENT, IF THE POOL WERE ZERO SUCH SMALL PROJECTS WOULD NOT BE ALLOWED UNDER THE EDP.

COMMISSIONER ZITO ASKED ABOUT THE RAMIFICATIONS OF ALLOWING THE SMALLER 150,000 SQUARE FEET OF RETAIL ON ARCADIA. STAFF STATED THAT THE AREA IS CURRENTLY UNDER-SERVED BY RETAIL AND THAT THE TOTAL PROPOSED 575,000 SQUARE FEET OF COMMERCIAL/OFFICE USES WITHIN THE EDP AREA PROVIDES GENERAL FUND REVENUE TO SUPPORT MUNICIPAL SERVICES.

COMMISSIONER ZITO ASKED IF THE COMMUNITY CENTER ON THE ARCADIA SITE COULD BE MOVED TO PHASE II. STAFF NOTED THAT COULD BE PART OF PLANNING COMMISSIONS RECOMMENDATION. WITH THE COMMUNITY CENTER IN THE SOUTHWEST CORNER OF THE SITE FARTHEST AWAY FROM ACCESS TO QUIMBY ROAD AND CAPITOL EXPRESSWAY, THE COMMUNITY COULD BE GIVEN THE CHOICE TO BUILD THE COMMUNITY CENTER IN ADVANCE OF THE SITE DEVELOPING IF THE COMMUNITY ACCEPTS TRAFFIC FOR THE COMMUNITY CENTER MOVING THROUGH THEIR NEIGHBORHOOD.

COMMISSIONER KALRA ASKED STAFF FOR A DEFINITION OF FULL-SERVICE GROCERY. STAFF RESPONDED THAT A FULL-SERVICE GROCERY WOULD PROVIDE A WIDE ARRAY OF FOODS AND SERVICES.

RESPONDING TO COMMISSIONER DHILLON'S COMMENTS REGARDING THE 500 POOL UNITS, STAFF NOTED THAT IN ADDITION TO THE POOL UNITS, THERE ARE APPROXIMATELY 298 CURRENT ALLOCATIONS AS PART OF THE EXISTING EDP THAT WILL NOT GO AWAY AS PART OF THE EDP UPDATE. STAFF NOTED THAT THE 500 POOL UNIT NUMBER WAS DERIVED FROM STAFF'S ANALYSIS OF VACANT AND UNDERUTILIZED LANDS WITHIN THE EDP AREA.

CHAIR CAMPOS RECOMMENDED MAKING POOL UNITS AVAILABLE UPON FIRST ENTITLEMENT.

COMMISSIONER ZITO ASKED ABOUT HOW THE EDP HANDLES COMMUNITY FACILITIES DISTRICTS (CFDS). STAFF RESPONDED THAT THEY WOULD BE USED FOR MAINTENANCE.

COMMISSIONER KAMKAR SUGGESTED THAT THE CITY SHOULDN'T BE CONTENT WITH LOS "E" OR WORSE THAT THE NUMBER OF PROPOSED NEW UNITS SHOULD BE REDUCED INSTEAD. HE ALSO SUGGESTED THAT

25% OF THE POOL UNITS SHOULD BE RESERVED FOR 8 UNITS OR LESS AND 45% FOR 20 UNITS OR LESS AND THAT THE POOL UNITS SHOULD HAVE THE SAME TIMING AS THE OTHER UNITS. COMMISSIONER KAMKAR LIKED STAFF'S PROPOSAL THAT THE POOL UNITS PAY A TRAFFIC IMPACT FEE (TIF) AND BE SUBJECT TO THE PARKLAND DEDICATION ORDINANCE (PDO/PIO). CHAIR CAMPOS REITERATED THAT THE POOL UNITS SHOULD BE AVAILABLE AT INITIAL ENTITLEMENT.

COMMISSIONER PLATTEN MADE THE FOLLOWING MOTION WITH RESPECT TO ITEMS 7.A.2 (EDP) AND 7.B.1 THROUGH 5 (GENERAL PLAN AMENDMENTS): THE PLANNING COMMISSION HAS CONSIDERED THE EIR AND FOUND IT IN COMPLIANCE WITH CEQA; RECOMMEND CITY COUNCIL ADOPTION OF BOTH STAFF AND DEVELOPER RECOMMENDATIONS; RECOMMEND STAFF AND DEVELOPERS NEGOTIATE PRIOR TO PRESENTATION TO CITY COUNCIL WITH CAVEAT ON SUPERMARKET, RECOMMEND CITY COUNCIL TAKE APPROPRIATE STEPS TO PROTECT PROMISE/COMMITMENT MADE BY THE CITY AS REFERENCED BY FORMER COUNCILMEMBER SAUCEDO WITH RESPECT TO THE SUPERMARKET.

COMMISSIONER ZITO OFFERED FOR CONSIDERATION THE FOLLOWING FRIENDLY AMENDMENTS: RAISE 25-PERCENT OF THE POOL UNITS UP TO 8-UNITS; MOVE ARCADIA COMMUNITY CENTER TO PHASE II; MURILLO REMAIN 4 LANES BETWEEN QUIMBY & ABORN; LIMIT COMMERCIAL ON ARCADIA TO 200,000 SQUARE FEET; 120 ACRES OF CAMPUS INDUSTRIAL RESERVED, OF 120 ACRES, 40 ACRES RESERVED FOR HIGH SCHOOL SITE; MAXIMUM 1,200 UNITS ON CAMPUS INDUSTRIAL.

COMMISSIONER PLATTEN ACCEPTED MOVING THE ARCADIA COMMUNITY CENTER TO PHASE II, BUT DID NOT ACCEPT COMMISSIONER ZITO'S REMAINING AMENDMENTS.

COMMISSIONER DHILLON PROPOSED THE FOLLOWING FRIENDLY AMENDMENTS: ALLOCATION POOL MINIMUM 500 UNITS, NOT MAXIMUM; ANY EXCESS UNITS FROM THE OPPORTUNITY SITES SHOULD GO TO THE POOL; POOL SHOULD BE AVAILABLE IMMEDIATELY AFTER EDP APPROVAL; POOL CRITERIA SHOULD BE FLEXIBLE TO ENSURE PARTICIPATION OF ALL POTENTIAL INFILL PARCELS; ALLOCATION PROVIDED WITH 1ST ENTITLEMENT.

COMMISSIONER PLATTEN ACCEPTED COMMISSIONER DHILLON'S AMENDMENT.

COMMISSIONER KALRA OFFERED THE FOLLOWING FRIENDLY AMENDMENT: ON THE ISSUE OF SUPERMARKET, 20,000 SQUARE FOOT MAXIMUM FOR ANY STORE ON THE EVERGREEN COLLEGE SITE.

COMMISSIONER PLATTEN ACCEPTED COMMISSIONER KALRA'S AMENDMENT.

COMMISSIONER ZITO PROPOSED THE FOLLOWING UNFRIENDLY AMENDMENT: INCREASE 25% OF POOL FROM 4 TO 8 UNITS; MURILLO TO REMAIN 4 LANES FROM QUIMBY TO ABORN; 200,000 SQUARE FOOT MAXIMUM COMMERCIAL ON ARCADIA; 1,200 UNITS MAXIMUM ON THE CAMPUS INDUSTRIAL SITE, 80 ACRES OF INDUSTRIAL TO REMAIN, 40 ACRES OF INDUSTRIAL RESERVED FOR HIGH SCHOOL SITE; ACCEPT THE TASK FORCE AMENITY LIST; AND POOL UNITS AVAILABLE IN PHASE II. COMMISSIONER DHILLON, ON THE UNFRIENDLY AMENDMENT STATED HIS SUPPORT FOR 8 UNITS VERSUS 4 UNITS AND FOR MURILLO REMAINING 4 LANES, BUT WAS NOT OKAY WITH LIMITING ARCADIA TO 200,000 SQUARE FEET OF COMMERCIAL OR WITH OTHER AMENDMENTS.

THE QUESTION WAS CALLED ON COMMISSIONER ZITO'S UNFRIENDLY AMENDMENT. THE PROPOSAL TO ADD THE UN-FRIENDLY AMENDMENTS TO THE AMENDED MOTION FAILED 2-5 (DHILLON, KALRA, PLATTEN, CAMPOS OPPOSED).

COMMISSIONER PLATTEN RESTATED HIS MOTION AND THE CITY ATTORNEY CLARIFIED THE 20,000 SQUARE FOOT LIMIT ON SUPERMARKET ON THE EVERGREEN COLLEGE SITE.

COMMISSIONER ZITO PROPOSED A FRIENDLY AMENDMENT TO ACCEPT THE TASK FORCE AMENITY PRIORITIZATION "H" (IN PLANNING COMMISSION PACKET AS ATTACHMENT 4).

COMMISSIONER PLATTEN ACCEPTED THIS AMENDMENT.

COMMISSIONER ZITO PROPOSED AN UNFRIENDLY AMENDMENT TO RESERVE 40 ACRES OF THE CAMPUS INDUSTRIAL SITE FOR A HIGH SCHOOL.

THE PROPOSAL TO ADD THE UNFRIENDLY AMENDMENT TO THE AMENDED MOTION PASSED 5-2 (CAMPOS, PLATTEN DISSENTING).

THE PLANNING COMMISSION VOTED 7-0 TO ADOPT THE MAIN MOTION AS AMENDED.

b. PUBLIC HEARING ON GENERAL PLAN TEXT AND LAND USE/TRANSPORTATION DIAGRAM AMENDMENTS.

- 1. GPT05-08-01: GENERAL PLAN TEXT AMENDMENT** to revise text based on actions related to the update of the Evergreen Development Policy and General Plan Land Use/Transportation Diagram amendments, amend Appendix E to reduce the number of planned lanes from four to two on the following Major Collectors: Delta Road, Murillo Avenue (from Tully Road to Aborn Road), Nieman Boulevard, Quimby Road (east of White Road), Ruby Avenue (between Kohler Avenue and Aborn Road, and between Fowler and Delta Roads), Yerba Buena Road (from Old Yerba Buena Road to Aborn Road), and amend Appendix F, the Mixed Use Inventory, in conjunction with General Plan Land

Use/Transportation Diagram amendments GP05-08-01A and GP05-08-01F. SNI: K.O.N.A, West Evergreen and East Valley/680 Communities. CEQA: Resolution to be Adopted. Council Districts: 5, 7, and 8.

SEE ITEM 7.A.2 FOR RECOMMENDATION

2. GP05-08-01A. GENERAL PLAN AMENDMENT request to change the Land Use/Transportation Diagram designation from Mixed-Use Overlay with Public/Quasi-Public, Medium Low Density Residential (8.0 DU/AC), Industrial Park, Office and Public Park and Open Space underlying land use designations to Mixed-Use with No Underlying Land Use Designation on an 81-acre site, known as Arcadia, located on the south side of Quimby Road 1,000 feet westerly of Capitol Expressway. (Arcadia Homes, Inc. applicant/owner). SNI: West Evergreen. CEQA: Resolution to be Adopted. Council District 8.

SEE ITEM 7.A.2 FOR RECOMMENDATION

3. GP05-08-01B. GENERAL PLAN AMENDMENT request to change the Land Use/Transportation Diagram designation from Private Recreation to Medium Density Residential (8-16 DU/AC), and Public Park and Open Space on a 114-acre site, known as Pleasant Hills Golf Course, located on the north east corner of Tully and S. White Roads. (KB Home, applicant/Duino Family Partners, owner). SNI: None. CEQA: Resolution to be Adopted. Council District 8.

SEE ITEM 7.A.2 FOR RECOMMENDATION

4. GP05-08-01C, D, E: GENERAL PLAN AMENDMENT request to change the Land Use/Transportation Diagram designation from Campus Industrial to Medium Density Residential (8-16 DU/AC), and Public Park and Open Space on a combined 320-acre site, known as Campus Industrial – Berg Investment Development Services (IDS), and Yerba Buena OPCO, located on the north east corner of Yerba Buena Road and Old Yerba Buena Road, South of Aborn Roads. (Berg & Berg Enterprises Investment Development Services (IDS) Inc and Yerba Buena OPCO, applicant/owner). SNI: None. CEQA: Resolutions to be Adopted. Council District 8.

SEE ITEM 7.A.2 FOR RECOMMENDATION

5. GP05-08-01F: GENERAL PLAN AMENDMENT request to change the Land Use/Transportation Diagram designation from Public/Quasi-Public to Mixed-Use with No Underlying Land Use Designation on a 27-acre portion of the Evergreen Valley College Campus, located on the north side of Yerba Buena Road approximately 350 feet easterly of San Felipe Road. (San José/Evergreen Community College District applicant/owner). SNI: None. CEQA: Resolution to be Adopted. Council District 8.

SEE ITEM 7.A.2 FOR RECOMMENDATION

5. **CONTINUE THE PLANNING COMMISSION HEARING FOR THE 2006 FALL
GENERAL PLAN AMENDMENTS TO NOVEMBER 13, 2006**

6.

APPROVED (7-0-0)

8. **PETITIONS AND COMMUNICATIONS**

- a. Public comments to the Planning Commission on nonagendized items. Please fill out a speaker's card and give it to the technician. Each member of the public may address the Commission for up to three minutes. The commission cannot take any formal action without the item being properly noticed and placed on an agenda. In response to public comment, the Planning Commission is limited to the following options:
 1. Responding to statements made or questions posed by members of the public; or
 2. Requesting staff to report back on a matter at a subsequent meeting; or
 3. Directing staff to place the item on a future agenda.

10. **REFERRALS FROM CITY COUNCIL, BOARDS, COMMISSIONS OR OTHER
AGENCIES**

NONE.

11. **GOOD AND WELFARE**

- a. Report from City Council

NONE.

- b. Commissioners' reports from Committees:

- Norman Y. Mineta San Jose International Airport Noise Advisory Committee (Campos).
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THE NEXT MEETING OF THE COMMITTEE IS NOV. 20, 2006.

- Coyote Valley Specific Plan (Platten)

**THE NEXT MEETING OF THE TASK FORCE IS NOVEMBER 13, 2006, TO
REVIEW A PRESENTATION ON THE HABITAT CONSERVATION
PLAN/NATURAL COMMUNITIES CONSERVATION PLAN. COMMISSIONER
PLATTEN WILL NOT ATTEND SO HE CAN BE PRESENT AT THE
NOVEMBER 13, 2006 PLANNING COMMISSION GENERAL PLAN HEARING**

- Evergreen East Hills Vision Strategy Task Force (Zito)

NONE.

- Parks Funding Subcommittee (Zito)

NEXT MEETING SCHEDULED NOVEMBER 29, 2006.

- c. Review of synopsis

ACCEPT THE OCTOBER 25, 2006 SYNOPSIS

12. ADJOURNMENT

2006 PLANNING COMMISSION MEETING SCHEDULE

Date	Time	Type of Meeting	Location
January 11	6:30 p.m.	Regular Meeting	Council Chambers
January 25	6:30 p.m.	Regular Meeting	Council Chambers
February 8	CANCELLED	Regular Meeting	Council Chambers
Thurs. February 16	6:30 p.m.	Regular Meeting	Council Chambers
February 22	6:30 p.m.	Regular Meeting	Council Chambers
March 8	6:30 p.m.	General Plan/Regular Meeting	Council Chambers
March 22	5:00-6:20 p.m.	<i>Study Session</i>	T-332
Discussion of additional parkland and open space for the City (<i>Joint session with Parks Commission</i>)			
March 22	6:30 p.m.	General Plan/Regular Meeting	Council Chambers
April 12	6:30 p.m.	General Plan/Regular Meeting	Council Chambers
April 26	6:30 p.m.	Regular Meeting	Council Chambers
May 3	5:00 p.m.	<i>Study Session</i>	T-1654
<i>Review Capital Improvement Program</i>			
May 3	6:30 p.m.	General Plan/Regular Meeting	Council Chambers
May 24	CANCELLED	<i>Study Session</i>	T-332
<i>Joint study session with Parks Commission</i>			
May 24	6:30 p.m.	General Plan/Regular Meeting	Council Chambers
May 31	CANCELLED	Regular Meeting	Council Chambers
June 5	6:30 p.m.	General Plan/Regular Meeting	Council Chambers
June 14	6:30 p.m.	Regular Meeting	Council Chambers
June 28	6:30 p.m.	Regular Meeting	Council Chambers
July 12	6:30 p.m.	Regular Meeting	Council Chambers
July 26	6:30 p.m.	Regular Meeting	Council Chambers
August 9	5:00 p.m.	<i>Study Session</i>	T-1654
<i>Joint study session with Parks Commission</i>			
August 9	6:30 p.m.	Regular Meeting	Council Chambers
August 23	6:30 p.m.	Regular Meeting	Council Chambers
September 13	6:30 p.m.	Regular Meeting	Council Chambers
September 27	6:30 p.m.	Regular Meeting	Council Chambers
October 11	6:30 p.m.	General Plan/Regular Meeting	Council Chambers
October 25	6:30 p.m.	Regular Meeting	Council Chambers
November 8	6:30 p.m.	General Plan/Regular Meeting	Council Chambers
Mon. November 13	6:30 p.m.	General Plan/Regular Meeting	Council Chambers
November 15	6:30 p.m.	General Plan/Regular Meeting	Council Chambers
November 29	6:30 p.m.	General Plan/Regular Meeting	Council Chambers
December 6	6:30 p.m.	Regular Meeting	Council Chambers